

Item 1. Adopt the following **new** chapter:

## CHAPTER 68

### IOWA PUBLIC CHARTER SCHOOLS

**281—68.1(256F) Purpose.** The purpose of a public charter school is established pursuant to Iowa Code chapter 256F. A charter school may be established by creating a new school within an existing public school or converting an existing public school to charter status. This chapter provides the criteria and weighting for those criteria that the state board shall use to determine if an application shall be selected as one of ten authorized pilot public charter schools.

**281—68.2(256F) Definitions.**

*“Charter school”* means a new school designated by the state board and created within an existing attendance center or a new school created by converting an existing attendance center to charter status.

*“Charter school authorization”* means the local school board in partnership with the state board of education.

*“Department”* means the Iowa department of education.

*“School board”* means a board of directors regularly elected by the registered voters of a school district.

*“State board”* means the state board of education.

**281—68.3(256) Application to a school board.** Beginning April 23, 2003, a local school board may begin accepting applications from the principal,

teachers or parents or guardians of students at an existing public school for the planning and operation of a charter school within the boundary lines of an existing public school district. Local boards may receive applications for both charter school planning and for charter school status, and both could be eligible to receive financial support (pending available federal funding). Both planning and charter school applications must be approved by the local board.

Prior to accepting applications, a school board shall adopt procedures, criteria, and weighting of the criteria to determine approval or denial of an application. The school board may adopt the procedures, criteria, and weighting of the criteria as established in this chapter for public charter schools. In addition, an application that has been submitted and subsequent school board action taken on any application shall, at minimum, meet the provisions of Iowa Code chapter 256F. Applications received on or before October 1 of a calendar year shall be considered for approval and the establishment of charter schools at the beginning of the school district's next school year or at a time agreed to by the applicant and the local school board.

However, a school board may receive and consider applications after October 1 at its discretion. A school board, by majority vote must approve or deny the application within 60 calendar days after the application was received. An application approved by the school board and state board of education shall constitute, at a minimum, an agreement between the school board and the charter school for the operation of the charter school for no less than four years.

**281—68.4(256F) Review process.**

**68.4(1) *Application to the department.*** The department will review two types of public charter school applications, which are (1) planning and (2) charter status. Planning applications are to be for no longer than one year with the intent of moving to public charter school status. A charter status application may be made without first applying for planning.

Upon local school board approval of an application for the proposed establishment of a charter school, a school board must submit an application to the department. The department shall appoint, at minimum, seven individuals knowledgeable in student achievement and nontraditional learning environments to review each application for charter status. A reviewer shall not participate in the review of any application in which the individual may have an interest, direct or indirect.

**68.4(2) *Ranking of applications.*** Applications shall be ranked on a point system, and applications shall be recommended in rank order beginning with highest points. In the event that two or more applications tie, the applications will be reviewed until the tie is broken.

The maximum points for an application shall be one hundred. The maximum points for each criterion provided in Iowa Code chapter 256F shall be as follows:

a. Overview. The mission, purpose, innovation, and specialized focus of the charter school. The maximum number of points that can be awarded is ten.

b. Organization and structure. The maximum number of points that can be awarded is twenty-five.

(1) The charter school governance and bylaws.

(2) The method for appointing or forming an advisory council for the charter school. The membership of an advisory council appointed or formed in accordance with this chapter shall not include more than one member of the school board. The advisory council shall, to the greatest extent possible, reflect the demographics of the student population to be served by the pilot public charter school.

(3) The organization of the school in terms of ages of students or grades to be taught along with an estimate of the total enrollment of the school.

(4) The method for admission to the public charter school. The admission policy shall support the purpose and specialized mission of the public charter school. A lottery process must be described in the application for public charter schools in the event that the number of applicants exceeds the capacity of the public charter school. The admission process shall not discriminate against prospective students on the basis of race, creed, color, sex, national origin, religion, ancestry, or disability, except if a charter school limits enrollment pursuant to section 256F.4(3).

(5) The number and qualifications of teachers and administrators to be employed. Hiring practices shall, to the greatest extent possible, reflect the demographics of the student population to be served by the pilot public charter school.

(6) Procedures for teacher and administrator evaluation.

(7) Procedures for identification and implementation of professional development for teachers and administrators as required under 281 IAC 12.7 and the Iowa teaching standards, including opportunity to be responsible for the learning program at the school site.

(8) A plan of operation to be implemented if the public charter school revokes or fails to renew its contract.

(9) The specific statutes, administrative rules, and school board policies with which the public charter school does not intend to comply.

c. Facilities/financial support. The maximum number of points that can be awarded is twenty-five.

(1) The provision of school facilities.

(2) The financial plan for the operation of the school including, at minimum, a listing of the support services the school district will provide, and the public charter school's revenues, budgets, and expenditures.

(3) Assurance of the assumption of liability by the public charter school.

(4) The types and amounts of insurance coverage to be obtained by the public charter school.

(5) The means, costs, and plan for providing transportation for students attending the public charter school.

d. Student Achievement. The maximum number of points that can be awarded is forty.

(1) Performance goals and objectives in addition to those required under Iowa Code section 256.7(21) and 281 IAC chapter 12, by which the school's student achievement shall be judged, the measures to be used to assess progress, and the current baseline status with respect to the goals.

(2) The educational program and curriculum utilizing different and innovative instructional methodologies sensitive to gender, racial, ethnic and socioeconomic background, and services to be offered to all prospective students, including students with disabilities consistent with all requirements of 281 IAC chapter 41, English Language Learners (ELL), and other students considered “at risk.”

(3) A statement indicating how the public charter school will meet the purpose of a public charter school as outlined in Iowa Code section 256F.1(3), and the minimum state and federal statutory requirements of a public charter school as outlined in Iowa Code section 256F.4(2).

**68.4(3) State board review.** The state board shall review the recommendations provided by the department. The state board shall by a majority vote approve or deny an application within 60 calendar days of application receipt and shall notify applicants within 14 days of the state board's decision.

This chapter is intended to implement Iowa Code chapter 256F.

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